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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/018,716	03/28/2002	Andrew R. Labarbera	91830/0476600	1627

7590 11/17/2004  
Frost Brown Todd  
2200 PNC Center  
201 East Fifth Street  
Cincinnati, OH 45202

EXAMINER

MARVICH, MARIA

ART UNIT	PAPER NUMBER
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1636

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



## UNITED STATES DEPARTMENT OF COMMERCE

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT

PAPER

1104

DATE MAILED:

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## Commissioner for Patents

The application contains sequence disclosures that are encompassed by the definition for nucleotide and/or amino acid sequences set forth in 37 C.F.R. 1.821(a)(1) and (a)(2). However, the application fails to comply with the requirements of 37 C.F.R. 1.821(a)(1) and (a)(2) for the reasons set forth in the attached Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence Disclosures And/Or Amino Acid Sequence Disclosures. The instant application comprises sequences in the specification on page 29, lines 19, 20, 22 and 23 and in claim 13 that are not accompanied by a paper copy of the sequence listing as a separate part of the disclosure, computer readable format (CRF), and a letter stating that the contents of the sequence listing and the CRF are the same is missing from the application. Applicants must submit a sequence listing, CRF and letter stating that there is no new matter and that the contents of the sequence listing and CRF are the same is required.

Applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to submit an amendment in compliance with 37 CFR 1.121, effective, March 21, 2001, in order to avoid abandonment.

EXTENSIONS OF THIS TIME MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maria B Marvich, PhD whose telephone number is 571-272-0774. The examiner can normally be reached on M-F (6:30-3:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Remy Yucel, PhD can be reached on 571-272-0781. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-4242 for regular communications and (703) 305-4242 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3291.

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GERRY LEFFERS  
PRIMARY EXAMINER